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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,599	03/29/2001	William Teague	09857-045001	5066
26161	7590	12/21/2004	EXAMINER	
FISH & RICHARDSON PC 225 FRANKLIN ST BOSTON, MA 02110			TRUONG, CAMQUY	
			ART UNIT	PAPER NUMBER
			2127	

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Applicati n N . 09/821,599	Applicant(s) TEAGUE ET AL.	
	Examin r Camquy Truong	Art Unit 2127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-23 are presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claims 13-21 are rejected under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly as the invention.

A. The following terms lack proper antecedent basis:

- i. The individual reports – claims 13-15.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6, 8-10, 12-17 and 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iggulden (U.S. 5,946,676) in the view of Van Ryzin (U.S. Patent 5,909,689).

6. As to claim 1, Iggulden teaches the invention substantially as claimed including:

A data services process that maintains at least one report batch file, where each said report batch file is scheduled by a user to be executed at a specific time and contains a list of reports to be generated when said report batch file is executed (col. 1, lines 36-37; col.2, lines 17-19 and lines 58-61; col.3, lines 33-38).

7. Iggulden does not explicitly teach that the process for generation of report. However, Van RyZin teaches the process for generation of report (col. 2, lines 64-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Iggulden and Van Ryzin because Van Ryzin's the process for generation of report would maintain the most current version of data files in each user directory.

8. As to claims 13, 15 and 22, they are rejected as the same reason for claim 1. In addition, Van Ryzin teaches:

A batch file schedule process that examines said specific time of each said report batch file and selects those said report batch files that need to be executed (col.2, lines 63-65; col.4, lines 48-56);

A report parsing process, responsive to said batch file schedule process selecting report batch files for execution, for analyzing said list of reports of each

said selected report batch file to determined the individual reports required for its respective batch file and for generating a report master list of all individual reports to be generated for the selected report batch files (col. 4, lines 49-52; col. 5, lines 17-26);

A report generation process, responsive to said report parsing process for generating said individual reports listed on said report master list from data retrieved from said data services process, said individual reports being made available to the user (col. 2, lines 64-67; col. 5, lines 26-29 and lines 46-50);

Iggulden teaches a report transmission process, responsive to said report generation process generating said individual reports, for transmitting to the user via an electronic mail delivery mechanism said individual reports listed in said user's report batch file (col.1, lines 34-35; col.2, lines 53-56).

9. As to claim 2, Van Ryzin teaches a batch file schedule process that examines said specific time of each said report batch file and selects those said report batch files that need to be executed (col.2, lines 63-65; col.4, lines 48-52).

10. As to claim 3, Van Ryzin teaches a report parsing process, responsive to said batch file schedule process selecting report batch files for execution, for analyzing said list of reports of each said selected report batch file to determined the individual reports required for its respective batch file and for generating a

report master list of all individual reports to be generated for the selected report batch files (col. 4, lines 49-52; col. 5, lines 17-26).

11. As to claim 4, Van Ryzin teaches a report generation process, responsive to said report parsing process for generating said individual reports listed on said report master list from data retrieved from said data services process, said individual reports being made available to the user (col. 2, lines 64-67; col. 5, lines 26-29 and lines 46-50).

12. As to claims 5, 14, and 17, Iggulden teaches a report posting process which posts individual reports generated by said reports can be downloaded by the user via a remote desktop computer (col. 2, line 63-col.3, line 10).

13. As to claims 6, 16 and 23, Iggulden teaches a report transmission process, responsive to said report generation process generating said individual reports, for transmitting to the user via an electronic mail delivery mechanism said individual reports listed in said user's report batch file (col.1, lines 34-35; col.2, lines 53-56).

14. As to claims 8-10 and 19-20, Van Ryzin teaches a batch file filtering process that examines the content of each said report batch file to determine if it s list of reports specifies at least one individual report for generation by said

report generation process, where said batch file schedule process prevents the execution of those report batch files that do not specify at least one individual report for generation (col. 5, lines 1-5 and lines 17-27).

15. As to claims 12 and 21, Van Ryzin teaches instruction for causing the processor to allow the user to manage their report batch file by modifying the list of reports (col. 4, lines 57-65; col.5, lines 30-35) and

Iggulden teaches scheduling the specific time for executing the report batch file (col.3, lines 29-38).

16. Claims 7, 11 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iggulden (U.S. 5,946,676) in the view of Van Ryzin (U.S. Patent 5,909,689) and further in view of Pollard et al (U.S. Patent 6,256,624).

17. As to claims 7 and 18, Iggulden and Van Ryzin do not explicitly teach a master delay process that delays the generation of all said individual reports master list until after a specific time to minimize server loading. However, Pollard teaches that a master delay process that delays the generation of all said individual reports master list until after a specific time to minimize server loading (col. 10, lines 48-59; col. 14, lines 10-21).

18. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Iggulden, Van Ryzin and Pollard because Pollard's master delay process that delays the generation of all said individual reports master list until after a specific time to minimize server loading would improve report production costs.

19. As to claim 11, Pollard teaches a report status process, responsive to said report parsing system generating said report master list, that associates a status indicator with each said individual report listed on said report master list which indicates the status of the generation of that specific individual report(col. 16, lines 21-31).

Conclusion

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Camquy Truong whose telephone number is (571) 272-3773. The examiner can normally be reached on 8AM – 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3756.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

Camquy Truong

December 7, 2004



MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2127